IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD
(Special Original Jurisdiction)

FRIDAY, THE TWENTY EIGHTH DAY OF JULY
TWO THOUSAND AND SIX

:PRESENT:

THE HON'BLE SRI JUSTICE J.CHELAMESWAR
AND
THE HON'BLE SRI JUSTICE D.APPA RAO

WRIT PETITION NO : 15745 of 2006

Between:
M/s. Maruthi Constructions, Bharathinagar, Vijayawada, Rep by its Managing partner,
D.Nageswara Prasad, S/o. Bhimaiah,

..... Petitioner

AND

1 The Commercial Tax Officer, Autonagar Circle, Vijayawada.
2 The Deputy Commissioner of Commercial Taxes, No.I Division, Vijayawada.
3 The Deputy Commissioner Tax Officer, No.I, Autonagar Circle, Vijayawada.
4 The Branch Manager, Union Bank of India, Governorpet, Vijayawada.

.....Respondent(s)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction particularly in the nature of Writ of Mandamus declaring the action on the part of the third respondent in issuing the impugned garnishee notice in VAT Form-206 dt. 25-7-2006 directing the 4th respondent to pay the outstanding amount mentioned therein within 7 days without serving a copy of the same on the petitioner as mandated in section 29 of the APVAT Act, 2005 during pendency of the writ petition in WP No. 8853/2006 heard finally and reserved for orders on 16-6-2006 as illegal, arbitrary, improper, unfair, without authority of law and violative of principles of natural justice and contrary to the established cannons of law and directing the respondents from taking any coercive steps for recovery of the tax in dispute pending pronouncement of the judgment in WP.No.8853/2006 and grant such other relief or reliefs as are deemed to be fit and proper in the circumstances of the case.

The petition coming on for hearing, upon perusing the petition and the affidavit filed in support there of and upon hearing the arguments of Sri M.V.J.K.KUMAR, Advocate for the Petitioner and Spl.G.P. for Commercial Taxes for the Respondents 1 to 3, the Court made the following :**ORDER**

"In view of the paucity of time, we are not able to examined the matter on merits. Therefore, we direct both the parties to maintain Status quo obtained as of now, until further orders.

Post on 31-7-2006."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1 The Commercial Tax Officer, Autonagar Circle, Vijayawada.
2 The Deputy Commissioner of Commercial Taxes, No.I Division, Vijayawada.
3 The Deputy Commissioner Tax Officer, No.I, Autonagar Circle, Vijayawada.
4 The Branch Manager, Union Bank of India, Governorpet, Vijayawada.
5. 2ccs to Spl.G.P. for Commercial Taxes, High Court of A.P.Hyderabad (OUT)
6. one spare copy
7. 1cc to Sri M.V.J.K.Kumar, Advocate (OPUC)

smj

HIGH COURT

JC.J. & DAR.J.

DATED 28-7-2006

NOTE:POST ON 31-7-2006

ORDER

W.P.NO.15745 OF 2006

STATUS QUO

Smj
Drafted on 29-7-2006

HIGH COURT

JC.J. & DAR.J.

DATED 28-7-2006

NOTE:POST ON 31-7-2006

ORDER

W.P.NO.15745 OF 2006

STATUS QUO